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Re: Application No.: 10/042,030 Attorney Docket No: AUS920010686US1	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Brown et al.**

Serial No.: 10/042,030

Filed: January 8, 2002

For: Method, Apparatus, and Program
for Enhancing the Visibility of
Documents

35525

PATENT TRADEMARK OFFICE
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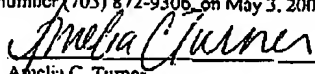
Group Art Unit: 2162

Examiner: **Pham, Hung Q.**

Attorney Docket No.: AUS920010686US1

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By:


Amelia C. TurnerTRANSMITTAL DOCUMENTCommissioner for Patents
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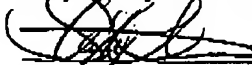
Sir:

TRANSMITTED HEREWITH:

- Appeal Brief (37 C.F.R. 41.37).

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Respectfully submitted,



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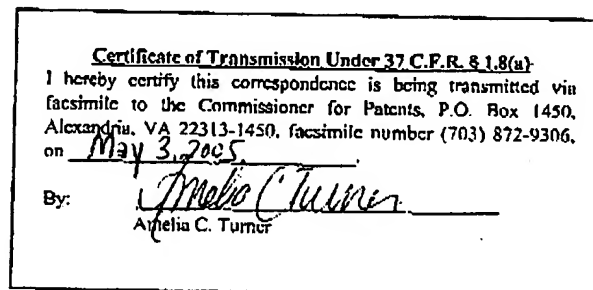
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**RECEIVED
CENTRAL FAX CENTER****MAY 03 2005****Docket No. AUS920010686US1****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **Brown et al.**Serial No. **10/042,030**Filed: **January 8, 2002**For: **Method, Apparatus, and
Program for Enhancing the Visibility
of Documents**§
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§Group Art Unit: **2162**Examiner: **Pham, Hung Q.**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**APPEAL BRIEF (37 C.F.R. 41.37)**

This brief is in furtherance of the Notice of Appeal, filed in this case on March 4, 2005.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

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(Appeal Brief Page 1 of 18)
Brown et al. - 10/042,030

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS**A. TOTAL NUMBER OF CLAIMS IN APPLICATION**

Claims in the application are: 1-5, 11-17, and 22-25

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: 6-10 and 18-21
2. Claims withdrawn from consideration but not canceled: N/A
3. Claims pending: 1-5, 11-17, and 22-25
4. Claims allowed: None
5. Claims rejected: 1-5, 11-17, and 22-25
6. Claims objected to: None

C. CLAIMS ON APPEAL

The claims on appeal are: 1-5, 11-17 and 22-25

STATUS OF AMENDMENTS

There are no amendments after final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claims 1, 14, and 25:

The presently claimed invention provides a method, computer program product, and apparatus for clarifying a document. The present invention retrieves a document including a document component having an attribute that is explicitly specified in the document. See specification, **Figure 5A**; page 15, line 13, to page 16, line 3. The present invention displays the document and loads a set of user preferences. See specification, **Figures 4D and 6**; page 12, line 31, to page 13, line 12; page 15, lines 9-15. The present invention modifies the attribute to clarify display of the document based on the set of user preferences in response to activation of a clarification control. See specification, **Figures 4A-4C and 5B-5C**; page 10, line 24, to page 13, line 12; page 16, lines 19-22; page 18, lines 18-23.

The means recited in independent claim 14, as well as dependent claims 15-17, 22, and 23, may be data processing hardware within server 200, client 300, and combinations thereof, as described in the specification at page 7, line 7, to page 11, line 3, and page 15, lines 16-30, operating under control of software performing with the functionality described in the specification at page 17, line 22, to page 19, line 4, or equivalent.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection on appeal are as follows:

- I. Claims 1-5, 11-17, 22, 23, and 25 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over alleged admissions in view of Internet Explorer, version 5, released in 1998 (hereinafter "IE5").
- II. Claim 24 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over a conventional computer system in view of IE5.

ARGUMENT

I. 35 U.S.C. § 103, Alleged Obviousness of claims 1-5, 11-17, 22, 23, and 25

The Final Office Action rejects claims 1-5, 11-17, 22, 23, and 25 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over alleged admissions in view of Internet Explorer, version 5, released in 1998 (hereinafter "IE5"). This rejection is respectfully traversed.

The admitted prior art in the Description of the Related Art section of the specification merely summarizes the state of Web documents and Web browsers, including IE5. That is, documents may have attributes set within the documents that cause components of the document to be difficult to read or see. Also, Web browsers, including IE5, may have preferences that a user may set to customize document viewing; however, these preferences are applied to all documents displayed in the browser. Thus, Appellants concede that Web pages that include background images, background colors, and text colors existed prior to the present invention. Appellants do not concede, however, that recognition of the problem associated with background images, background colors, and text colors existed in the prior art or, if so, that the problem was solved in a manner equivalent to the presently claimed invention. More particularly, no method, apparatus, or computer program product in the prior art, admitted or otherwise, clarifies a document based on a set of loaded user preferences responsive to selection of a clarification control.

Similarly, IE5 appears to include options to configure default settings for ignoring colors, font styles, and font sizes specified on Web pages. As illustrated in the Office Action, IE5 also appears to include options to configure default settings for text color, background colors, and link colors. However, this feature is a graphical user interface for allowing a user to set preferences for the Web browser. When the user is finished making changes to the preferences and selects the "OK" button, the preferences are set and these settings are always applied to Web pages when IE5 displays the Web pages.

In contradistinction, the present invention provides a method, apparatus, and computer program product for clarifying a document in response to activation of a clarification control. A document is retrieved and presented and, in response to activation of a clarification control, the presently claimed invention modifies an attribute of a component of the Web page to clarify